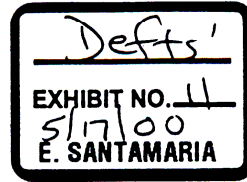


# Frankfurt Garbus Klein & Selz, PC

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May 15, 2000



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## BY FACSIMILE

Carla Miller, Esq.  
Proskauer Rose LLP  
1585 Broadway  
New York, New York 10036

Re: Universal City Studios, Inc. v. 2600 and Emmanuel Goldstein. (11560-0200)

Dear Carla:

Pursuant to Paragraph 7(b) of the Confidentiality Stipulation and Protective Order, please be advised that documents numbered 130-392 should not be designated as "Confidential." We hereby notify you that this designation should be dropped. Additionally, we object on the same grounds to Mr. Gold's designating the entire deposition of Mr. Schumann "Confidential" at the commencement of the deposition.

In this regard, in light of the expedited discovery in this case, which the Court directed after we met last Thursday, I think we have to modify ¶ 6(c) to put a shorter time limit on the how long counsel has after a deposition to mark portions of it "Confidential" or "Attorneys Eyes Only." I suggest four days, on the theory the judge cut the time to respond to document requests by a little more than 25%, so we shorten the time to designate by a little less than 25%.

Finally, as agreed to by Mr. Gold and myself at the deposition this afternoon, I set forth below a partial list of the documents defendants production of which was called for by defendants during the course of the deposition. Because this list is not exhaustive, defendants do not waive their right to augment it within a reasonable time of reviewing the transcript. In turn, Mr. Gold agreed to make inquiries regarding the demanded documents and respond as expeditiously as possible.

1. All documents (as defined in defendants' First Request for the Production of Documents) related to Mr. Schumann and/or Cinea's work for any of the

Carla Miller, Esq.  
May 15, 2000

plaintiffs<sup>1</sup> which are located on any hard-drive(s) (or discs) or other computer storage media in Mr. Schumann's control. For these purposes, Mr. Schumann is to run a disk recovery program to retrieve responsive documents on the drives and discs in question, and Proskauer will represent that it has retrieved and produced documents reflecting the same.

2. All documents in Mr. Schumann's control or possession regarding or relating to his or Cinea's work for the MPAA and/or the plaintiffs and/or the Proskauer Firm, including but not limited to all documents in the "MPAA" and "Proskauer" files all notes of telephone conversations or meetings, and all print-outs or other records of research by Mr. Schumann regarding websites posting DeCSS and/or the defendants (past and present) and/or tape drives and/or other DVD burners and/or other types of storage media.
3. All documents relating or referring to DVDs and/or CSS and/or DeCSS that were provided to Mr. Schumann by the MPAA and/or the plaintiffs and/or the Proskauer Firm, including but not limited to the Linux -dev and LiVid Logs.
4. All documents relating or referring to DVDs and/or CSS and/or DeCSS that were provided to the MPAA and/or the plaintiffs and/or the Proskauer Firm by Mr. Schumann, including but not limited to his interim report and final report, and notes on the Linux -dev and LiVid Logs.
5. A copy of the DVD that Mr. Schumann caused to be "burned" and then sold.
6. Any and all documents reflecting information about the quality of copied or decrypted or otherwise "ripped" DVD movies.
7. Any and all files regarding all "cease and desist" letters sent out by the MPAA and/or the plaintiffs and/or the Proskauer firm and/or any other law firm employed by the foregoing relating or referring to DeCSS.
8. Any and all documents downloaded and/or printed out by the MPAA relating to any issues in this matter.

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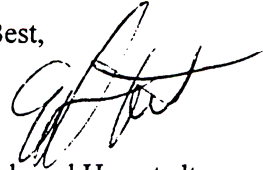
<sup>1</sup> In the context of this letter, all plaintiffs shall be understood to include Time Warner for purposes of demanding and collecting documents, but to exclude Time Warner with respect actually to producing such documents. Thus, defendants won't be required to restate all claims with respect to Time Warner, and plaintiffs won't have to conduct discovery at the last moment.

# Frankfurt Garbus Klein & Selz, PC

Carla Miller, Esq.  
May 15, 2000

If you have any questions or comments do not hesitate to telephone me.

Best,

A handwritten signature in black ink, appearing to read 'E. Hernstadt', with a stylized flourish extending from the end.

Edward Hernstadt

cc: Leon Gold, Esq.  
Nancy Kilson, Esq.  
Martin Garbus, Esq.